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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,388	06/05/2001	Naozumi Jogo	Q64739	4587

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SUGHRUE, MION, ZINN
MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER

GOOD JOHNSON, MOTILEWA

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 05/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,388

Applicant(s)

JOGO, NAOZUMI

Examiner

Motilewa A. Good-Johnson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is responsive to the following communication: Application, filed 06/05/2001.
2. Claims 1-12 are pending in this application. Claims 1 and 5-7 are independent claims. No claims have yet been amended.
3. The present title of this application is "Image Croppin and Synthesizing Method, and Imaging Apparatus" (as originally filed).

Priority

4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Ghislain Bossut et al., U.S. Patent Number 6,195,101, "Method and System for Image Templates", class 345/629, 02/27/2001, filed 04/06/1998.

As per independent claim 1, a method of cropping and synthesizing an image on a screen comprising the steps of: (Ghislain Bossut discloses image cropping, col. 2, lines 3-4; and image rendering, i.e. synthesizing, for display or print, col. 6, line 39) displaying a crop boundary with a reference point on an image to synthesize on said screen . . . said crop boundary having a corresponding shape to that of said frame of said selected template . . . variable in size . . . and centered on said reference point (Ghislain Bossut discloses importing a user-defined graphics edit, i.e. cropping, into a template, col. 3, lines 25-26; the user-defined graphics edit containing geometric parameters; i.e. points, lines, angles; to automate the positioning, col. 2, lines 65-67; a rectangular zone of interest, i.e. crop boundary; and a center matching method, col. 10, lines 40 – col. 11, line 8; see also figure 4) moving said crop boundary . . . enlarging or reducing said crop boundary of said reference point . . . ; (Ghislain Bossut discloses positioning, i.e. moving, an image relative to a cutout including the zone of interest and scaling and translating the image, col. 4, lines 24-30; and discloses the user modifying the positioning using tools in the user interface, col. 9, lines 58-60) cropping an image of said bounded area; (Ghislain Bossut discloses a significant portion of zone of interest constrained so the cutout remains within the image, col. 4, lines 24-36) and pasting said cropped image in said frame of said template . . . (Ghislain Bossut discloses glue properties for automatic positioning of the templates and images, col. 9, lines 29-49)

With respect to dependent claim 2, said reference point is located inside said crop boundary at a constant position relative to said crop boundary. (Ghislain Bossut discloses the zone of interest is a rectangular zone of the image containing a feature

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that constitutes the real subject, col. 10, lines 12-19, and further discloses using geometric parameters; i.e. points, line, angles; to automate the position, col. 2, lines 65-67)

With respect to dependent claim 3, cropped image is automatically enlarged or reduced in accordance with the size of said frame of said selected template. (Ghislain Bossut discloses glue properties for automatic positioning of the templates and images, col. 9, lines 29-49)

With respect to dependent claim 4, displaying reference lines inside said crop boundary, to define an internal zone within said crop boundary . . . and moving at least one of said reference lines on said screen through said operation device while keeping said reference point on said appropriate point . . . (Ghislain Bossut discloses automatically detecting the zone of interest and a cutout for the part of the picture which is visible and a transformation matrix to translate and scale the shape of the image, col. 9, lines 20 - col. 10)

As per independent claim 5, an image cropping method comprising the steps of: displaying an image on said screen; (Ghislain Bossut discloses in figures 1 and 4) displaying a crop boundary with a reference point on said image on said screen . . . crop boundary having an equal aspect ratio to that of said designated frame size . . . (Ghislain Bossut discloses positioning an image relative to a cutout without changing the aspect ratio of the image, including the zone of interest, i.e. crop boundary, col. 4, lines 24-30) moving said crop boundary on said screen through an operation device, to place a predetermined reference point of said crop boundary . . . enlarging or reducing

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said crop boundary about said reference point . . . (Ghislain Bossut discloses positioning, i.e. moving, an image relative to a cutout including the zone of interest and scaling and translating the image, col. 4, lines 24-30; and discloses the user modifying the positioning using tools in the user interface, col. 9, lines 58-60) and enlarging or reducing said cropped image in accordance with said frame size. (Ghislain Bossut discloses re-centering and re-scaling the zone of interest to maximize the zone of interest through the cutout so the image frame surrounds the cutout, col. 10, lines 40-44)

As per independent claim 6, an image cropping method comprising the steps of: displaying an image on said screen; (Ghislain Bossut discloses in figures 1 and 4) displaying a crop boundary with a reference point on said image on said screen . . . crop boundary having an equal aspect ratio to that of said designated frame size . . . and being centered . . . ; (Ghislain Bossut discloses positioning an image relative to a cutout without changing the aspect ratio of the image, including the zone of interest, i.e. crop boundary, col. 4, lines 24-30, and discloses a center matching method, col. 10, line 63-65) displaying reference lines inside said crop boundary, to define an internal zone within said crop boundary . . . ; (Ghislain Bossut discloses in figure 4 reference lines inside a zone of interest of an image to be cutout) moving said crop boundary together with said reference lines on said screen through an operation device . . . ; (Ghislain Bossut discloses the user-defined graphics edit containing geometric parameters; i.e. points, lines, angles; to automate the positioning, col. 2, lines 65-67; and the user modifying the positioning using tools in the user interface, col. 9, lines 58-60) moving at

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least one of said reference line on said screen through said operation device while keeping said reference point on said appropriate point of said image . . . ; (Ghislain Bossut discloses specifying a zone of interest in the placeholder image in the template for the cutout of the image using user interface tools to place the subject in the placeholder cutout, col. 10, lines 17-31, and further discloses geometric parameters; i.e. points, lines, angles; to automate the positioning, col. 2, lines 65-67) enlarging or reducing said crop boundary about said reference point automatically . . . ; (Ghislain Bossut discloses translating and scaling the image so that the significant position of the zone of interest is within the cutout, col. 4, lines 27-30) cropping an image of an area of said image . . . and enlarging or reducing said cropped image . . . (Ghislain Bossut discloses translating and scaling the image so that the significant position of the zone of interest is within the cutout, col. 4, lines 27-30)

As per independent claim 7 and dependent claim 8, they are rejected based upon similar rational as above independent claim 1 and dependent claim 4.

With respect to dependent claim 9, display device displays samples of said different kinds of templates on said screen in a small size before one of said templates is selected. (Ghislain Bossut discloses cutouts for templates, col. 11, lines 5-8, see also figure 4)

With respect to dependent claim 10, display device displays a plurality of images in a small size on said screen, among which said image to synthesize may be selected from and is displayed in a large size after being selected. (Ghislain Bossut discloses in figures 1 and 4)

With respect to dependent claim 11, display device displays said synthesized image on said screen after said image synthesizing device completes pasting said cropped image in said frame of said template. (Ghislain Bossut discloses in figure 1)

With respect to dependent claim 12, an image input device for inputting image data, and a printer for printing out said synthesized image. (Ghislain Bossut discloses image rendering for display or print, col. 6, line 39)

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2001/0035875 A1 Suzuki et al. 345/723 11/01/2001 12/30/1996

Image edit device adapted to rapidly lay-out photographs into templates with means for preview and correction by user.

6,441,827 B1 Hori et al. 345/629 08/27/2002 06/29/1999

Image reproduction apparatus having function of displaying synthesized data by varying part of original image data.

6,424,752 B1 Katayama et al. 382/284 07/23/2002 09/30/1998

Image synthesis apparatus and image synthesis method.

6,393,162 B1 Higurashi 382/284 05/21/2002 12/30/1998

Image synthesizing apparatus.

6,201,548 B1 Cariffe et al. 345/620 03/13/2001 02/24/1998

Graphical user interface for image editing.

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5,745,664 Nomura et al. 358/1.18 04/28/1998

Image synthesizing method and image recording apparatus which electronically synthesizes an image with a page of information.

5,592,305 Iwadate et al. 358/448 01/07/1997

Image forming apparatus for synthesizing plural images.

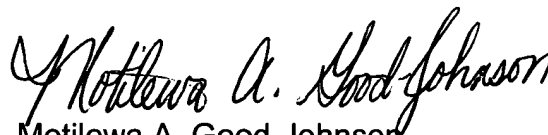
6,282,330 B1 Yokota et al. 382/309 08/28/2001 02/18/1998

Image processing apparatus and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.


Motilewa A. Good-Johnson
Examiner
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